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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/389,915	09/03/1999	LAWRENCE LAM	APL1P193/P23	6044

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EXAMINER

CHANG, YEAN HSI

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 12/05/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/389,915

Applicant(s)

LAM ET AL

Examiner

Yean-Hsi Chang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-108 is/are pending in the application.
- 4a) Of the above claim(s) 50-80 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 14-49, 81, 82 and 86-108 is/are rejected.
- 7) ☒ Claim(s) 12, 13 and 83-85 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 27 September 2001 is: a) ☒ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3 and 4 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "a light panel" in claims 1, 19, and 28; and "a light pipe" in claim 46 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 85 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 85 recites the limitation "said EMI shield" in line 2, and "said first passed light" in line 3. There are insufficient antecedent bases for these limitations in the claim.

Claim Rejections - 35 USC § 102

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5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 19, 28, and 39 are rejected under 35 U.S.C. 102(b) as being anticipated by Bejin (US 5,406,729).

Bejin teaches a display apparatus (20 fig. 1) comprising:

- a light source (24, fig. 4)
- a frame (30 and 35, fig. 4) supporting the light source
- a housing (21, fig. 1) having a translucent portion (22, fig. 1)
- a cosmetic shield (43, fig. 4)

7. Claims 31, 33-34, and 103-108 are rejected under 35 U.S.C. 102(b) as being anticipated by Ohgami et al. (US 5,689,400).

Ohgami teaches a portable computer (1, fig. 1) comprising:

- a hinge (177, fig. 7)
- a housing (not numbered) having a base portion (2, fig. 1) including a processor (not numbered, fig. 3), and a display portion (162, fig. 1) attached to the base portion by the hinge
- the display portion including at least a flat panel display (163, fig. 1), a frame (164, fig. 1), and an outer shell (165, fig. 1) attached to the frame

- the flat display panel is a Liquid Crystal Display (LCD) panel (see col. 16, lines 30-33)

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2-3, 5-9, 11, 14-18, 20-26, 29-30, 40-49, 96-99 and 101-102 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis et al. (US 5,422,751) in view of Bejin (US 5,406,729).

Lewis teaches a display apparatus (50, fig. 5) comprising:

- a Liquid Crystal Display (LCD) panel (66, fig. 5)
- a metal frame (69, fig. 5)
- a housing (77, fig. 5)
- an EMI shield (64, fig. 5) having a plurality of openings (not numbered)
- screws (not numbered) affixing the frame to the housing

Lewis FAILS to disclose substantial portions of the housing being translucent and formed from polycarbonate material, and a cosmetic shield having predetermined design (a symbol or a logo). However, Bejin teaches a display apparatus housing having including translucent portions, and a cosmetic shield with a

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predetermined design. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the apparatus of Lewis with the housing and cosmetic shield taught by Bejin so that the apparatus will have a logo showing on the housing like most merchandise do.

10. Claims 81-82, 86-95, and 100 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohgami et al. (US 5,689,400) in view of Bejin (US 5,406,729).

Ohgami discloses the claimed invention except the display unit including a light source, a frame (30 and 35, fig. 4) supporting the light source, a housing having a translucent portion and a cosmetic shield. However, Bejin teaches a display unit including a light source (24, fig. 4), a frame (30 and 35, fig. 4) supporting the light source, a housing (21, fig. 1) having a translucent portion (22, fig. 1), and a cosmetic shield (43, fig. 4). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the display unit of Ohgami with the display unit taught by Bejin such that a logo can be shown on the display unit housing.

11. Claims 32, and 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohgami et al. (US 5,689,400) in view of Lewis et al. (US 5,422,751).

Ohgami discloses the claimed invention except a metal frame for the LCD panel and an EMI shield for the display apparatus. However, Lewis teaches a display apparatus (50, fig. 5) comprising a metal frame (69, fig. 5) an Electro Magnetic Interference (EMI) shield (64, fig. 5) having a plurality of openings (not numbered). It

would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the display portion of the computer of Ohgami with the metal frame and EMI shield taught by Lewis such that the electromegnetic interference can be reduced or eliminated (see col. 2, lines3-5).

12. Claims 4, 10, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis et al. (US 5,422,751) in view of Bejin (US 5,406,729). Lewis in view of Bejin discloses the invention except for the portions of the housing made from a polycarbonate material.

Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ohgami et al. (US 5,689,400) in view of Lewis et al. (US 5,422,751). Ohgami in view of Lewis discloses the claimed invention except for the portions of the housing made from a polycarbonate material.

It would also be^{be} obvious to one having ordinary skill in the art at the time the invention was made to have portions of the housing made from a polycarbonate material, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of design choice for the purpose of having a housing with translucent portions such that the logo design inside the housing can be seen from outside.

Allowable Subject Matter

13. Claims 12-13 and 83-85 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, and provided the related §112 problems solved.

14. The following is a statement of reasons for the indication of allowable subject matter:

The reasons for the indication of allowable subject matter in claims 12 and 13 has been given in the previous office action mailed on 22 May 2001.

The best prior art of record, Lewis et al. (US 5,422,751), Bejin (US 5,406,729), and Ohgami et al. (US 5,689,400), taken alone or in combination fails to teach or fairly suggest a display apparatus comprising: a light panel; a frame being metal; a housing having said frame attached thereto at a peripheral portion using connectors being not visible through the housing, substantial portion of said housing being formed from apolycarbonate material and being translucent; a cosmetic shield provided between said housing and said frame to mask said frame and said light panel from being visible through the substantial portions of said housing being translucent; and wherein an upper portion of said frame affixes to an upper peripheral portion of said housing using a plurality of tongues formed on the upper peripheral portion of said housing as set forth in claim 12; and a portable computer comprising: a base unit including at least a processor; a display unit including a bezel, a flat panel display, a translucent outer shell, and a cosmetic shield disposed between the flat panel display and the outer shell, said cosmetic shield masking a substantial portion of light emitted by said flat panel display;

wherein said cosmetic shield includes a reflective surface positioned towards said flat panel display, and a mask opening for allowing the light passing through the mask opening illuminating a portion of outer shell as set forth in claim 83. Claims 13 and 84-85 are dependent claims from claims 12 and 83 respectively.

Response to Arguments

15. Applicant's arguments filed on 27 September 2001 have been fully considered but they are not persuasive.

Regarding the drawings, applicant argues 'With regards to "a light panel", please see Fig. 2, which shows an LCD panel 214, and Fig. 4, which shows an LCD panel 402.' An LCD panel is not a light panel. Applicant may prefer to use either one name or the other or both for the same element, but not one name in the specification and the other in the claims which cause confusion. Same answer applies to the argument "a light pipe" and "a light guide".

Applicant argues "Bejin does not teach or suggest a housing 21 that is traslucent." As shown in figs. 1-2, 4, and 8 of Bejin, element 22 is part of the housing and is translucent.

Applicant argues also "Bejin does not teach or suggest a photographic film 43 that reflects light therefrom" and "diffusing is not reflecting." According to Merriam Webster's Collegiate Dictionary, 10th Eddition, diffuse means to break up and distribute

(incident light) by reflection; and diffusion means reflection of light by a rough reflecting surface.

In response to applicant's argument that Bejin does not include certain features of applicant's invention, the limitations on which the applicant relies (i.e., Bejin does not teach or suggest a translucent screen that is in the back of the housing 21) are not stated in the claim. It is the claims that define the claimed invention, and it is claims, not specifications that are anticipated or unpatentable. *Constant v. Advanced Micro-Devices Inc.*, 7 USPQ 2d 1064.

Applicant argues "While Ohgami may disclose a display housing 162 having a front housing 164 and a rear housing 165, Ohgami does not teach or suggest a frame disposed therein or a frame that supports the display unit with respect to the base unit 2." As stated in paragraph 7, Ohgami discloses a frame 164, fig. 1, that supports the display unit 161 with respect to the base unit 2.

Conclusion

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

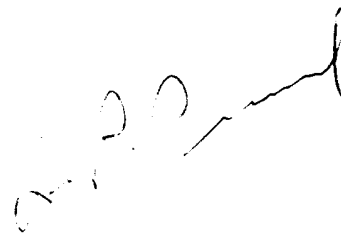
Correspondence

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (703) 306-5798. The examiner can normally be reached on 07:30-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on (703) 308-0538. The fax phone number for the organization where this application or proceeding is assigned are (703) 305-3431 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-8558.

Yean-Hsi Chang
Patent Examiner
Art Unit: 2835
November 26, 2001



Leo P. Picard
Supervisory Patent Examiner
Technology Center 2800